

AMENDED IN ASSEMBLY APRIL 26, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2148

Introduced by Assembly Member McCarthy

February 21, 2006

An act to add Article 8.5 (commencing with Section 17075.50) to Chapter 12.5 of Part 10 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2148, as amended, McCarthy. School facilities: small school districts: supplemental funding: project management assistance.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

This bill would authorize a school district ~~with 5,000 or fewer units of average daily attendance~~ to request ~~to the board to be provided~~ supplemental funding assistance *from the board in order* to manage ~~their~~ new construction or modernization projects approved by the board after January 1, 2007. The bill would authorize ~~an approved~~ a school district *with an approved request* to contract with a county office of education, an architect, a general contractor, or a construction manager, except as provided, to provide the management services and would specify what the management services may include. The bill would require the board to adopt regulations to establish the supplemental allowances, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 8.5 (commencing with Section
2 17075.50) is added to Chapter 12.5 of Part 10 of the Education
3 Code, to read:

4
5 Article 8.5. Project Management Assistance For Small School
6 Districts
7

8 17075.50. A school district ~~with 5,000 or fewer units of~~
9 ~~average daily attendance~~ may request to the board to be provided
10 supplemental funding assistance *from the board in order to*
11 manage new construction or modernization projects of the school
12 district *that is* approved by the board pursuant to this chapter
13 after January 1, 2007.

14 17075.52. (a) An eligible school district whose request has
15 been approved by the board may contract with a county office of
16 education, an architect, a general contractor, or a construction
17 manager to provide the management services authorized by this
18 article. The management services shall be for the purpose of
19 providing assistance to the school district in the management of
20 new construction or modernization projects approved by the
21 board after January 1, 2007.

22 (b) The management services ~~for which an approved~~ *that a*
23 school district may contract ~~for may~~ *under an approved request*
24 include *any of* the following:

25 (1) Assistance in the selection of providers of services,
26 including, but not limited to, any of the following:

27 (A) A design professional.

28 (B) A general contractor.

29 (C) A design build project provider.

30 (D) A state-approved inspector.

31 (E) A construction manager.

32 (2) Advice on the bidding process, including, but not limited
33 to, any of the following:

34 (A) Prequalification of bidders.

35 (B) Development of a list of bidders.

1 (C) Review of bidders.

2 (D) Review of bid specifications.

3 (E) Other services in the bid process.

4 (F) Direct project management project review including the
5 review of change orders and assistance with closeout audits and
6 the certification of occupancy.

7 (c) If an approved school district chooses to contract with a
8 third party for the management services, the third party shall not
9 have a contract with the school district to provide any of the
10 following construction services:

11 (1) Design professional.

12 (2) General contractor.

13 (3) Design build project provider.

14 (4) State-approved inspector.

15 (5) Construction manager.

16 17075.54. The board shall adopt regulations establishing the
17 appropriate supplemental allowance for purposes of this article,
18 which shall be based as a percentage of total new construction or
19 modernization state grant plus the required amount of
20 contribution of local funds. ~~The regulations shall include~~
21 ~~different percentage supplemental allowances based on project~~
22 ~~costs with the greater percentage allowance for projects of less~~
23 ~~than two million five hundred thousand dollars (\$2,500,000) and~~
24 ~~smaller percentage supplemental allowances for projects greater~~
25 ~~than ten million dollars (\$10,000,000).~~